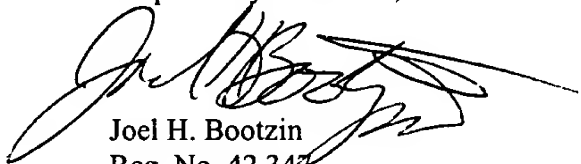


REMARKS

The Examiner has maintained the restriction requirement under PCT Rule 13.1 and 13.2 under the authority of 37 CFR 1.499, which calls for superseding PTO section 806 ("distinct inventions") in favor of PTO 1893.03(d) which describes the requirements for PCT Rule 13 "Unity of Invention." The Examiner states that the reason for the restriction requirement is a lack of unity of invention.

In response, Applicant maintains that it is fundamentally unfair to applicant and a contradiction with U.S. Patent Law and Rules to maintain this restriction requirement without giving the exact reasons for the lack of novelty beyond the reference being found in an international search report which reference was not used later as a basis for a rejection in an international examination. Thus, Applicant repeats his reasons for rejection from the response to the first restriction requirement here. For these reasons, Applicants respectfully request that the restriction requirement be withdrawn in order to at least provide applicants with a fair chance for a response.

Respectfully submitted,



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